

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONALD H. AMERSON,

No. C 11-0158 WHA (PR)

Petitioner,

**ORDER DENYING MOTION TO
STAY PETITION WITHOUT
PREJUDICE**

v.

RANDY GROUNDS, Warden,

Respondent.

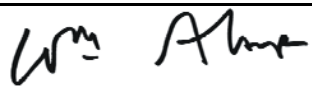
(Docket No. 5)

Petitioner, a prisoner of the State of California, filed a habeas corpus petition pursuant to 28 U.S.C. 2254. The petition sets forth one claim, and it challenges the constitutionality of Petitioner's conviction in state court. Along with his petition he has filed a motion for a stay of this case while he exhausts additional claims in the state courts. Petitioner has neither identified the claims he wishes to exhaust, shown that they are potentially meritorious, nor shown cause for his failure to exhaust them prior to arriving in federal court; he must do all of these things in order to obtain the stay he seeks, *see Rhines v. Webber* 544 U.S. 269, 278-79 (2005). Consequently, the motion for a stay is **DENIED** without prejudice to filing another such motion within **30 days** that makes the showing required by *Rhines*.

If petitioner does not make the required showing for a stay within that time, this matter will proceed based solely on the claim set forth in the petition.

IT IS SO ORDERED.

Dated: July 25, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE